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5 Counsel for Defendant CRECY

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8 IN THE UNITED STATES DISTRICT COURT  
9  
10 FOR THE NORTHERN DISTRICT OF CALIFORNIA

11 UNITED STATES OF AMERICA, )  
12 Plaintiff, ) No. CR 06-00222 SBA  
13 v. )  
14 ) STIPULATION AND]  
15 WARREN CRECY, ) ORDER CONTINUING COURT DATE  
16 Defendant. ) AND EXCLUSION OF TIME UNDER  
17 ) THE SPEEDY TRIAL ACT, 18 U.S.C.  
18 ) § 3161 ET SEQ.  
19 )  
20 )  
21 )  
22 )

23 IT IS HEREBY STIPULATED, by and between the parties to this action, that the change of  
24 plea or trial setting date of March 13, 2007, at 9:00 a.m., before the Honorable Saundra Brown  
25 Armstrong, may be continued one week to March 20, 2007, at 9:00 a.m. for change of plea or trial  
26 setting.

27 The requested continuance is sought under The Speedy Trial Act, 18 U.S.C. §§ 3161(H)(8)(A)  
28 and (B)(iv). The reason for the requested continuance is that defense counsel has received additional  
29 discovery from the government which she must investigate and review with her client Mr. Crecy.  
30 Defense counsel is not able to meet with Mr. Crecy prior to the next scheduled court appearance

1 because she is traveling out of state and will be unavailable from March 9, 2007 through March 12,  
2 2007. If the Court continues the next court date to March 20, 2007, defense counsel should have  
3 sufficient time to meet with Mr. Crecy and discuss the additional documents and be prepared either  
4 for a change of plea or for trial setting.  
5

6 The parties stipulate that the ends of justice served by the continuance requested outweigh the  
7 best interests of the public and the defendant in a speedy trial because the failure to grant such a  
8 continuance would unreasonably deny counsel for the defendant the reasonable time necessary for  
9 effective preparation, taking into account the exercise of due diligence, and a continuance would  
10 also allow for continuity of counsel.  
11

12 /S/  
13

14 DATED: 3/7/07

15 MICHELLE MORGAN-KELLY  
16 Assistant United States Attorney  
17

18 /S/  
19

20 DATED: 3/7/07

21 JOYCE LEAVITT  
22 Assistant Federal Public Defender  
23

24 I hereby attest that I have on file all holograph signatures for any signatures indicated by a  
25 "conformed" signature (/S/) within this e-filed document.  
26

1 UNITED STATES OF AMERICA VS. WARREN CRECY

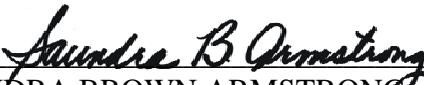
2 **ORDER**

3  
4 GOOD CAUSE APPEARING, IT IS HEREBY ORDERED that the change of plea or trial  
5 setting date of March 13, 2007 at 9:00 a.m. before the Honorable Saundra Brown Armstrong is  
6 continued to March 20, 2007 at 9:00 a.m.

7 IT IS FURTHER ORDERED that that time be excluded under the speedy trial act, 18 U.S.C.  
8 §3161(H) (8)(A) and (B)(iv) from March 13, 2007 until March 20, 2007. The Court finds that the  
9 ends of justice served by the granting of the continuance from March 13, 2007 to March 20, 2007  
10 outweigh the best interests of the public and the defendant in a speedy and public trial because  
11 additional investigation and review are necessary to the defense preparation of the case and for  
12 continuity of counsel. Given counsel's need to review the discovery with her client and conduct  
13 additional investigation, and given the unavailability of counsel from March 9, 2007 through March  
14 12, 2007, the Court finds that failure to grant the requested continuance would unreasonably deny  
15 the defendant's counsel the reasonable time necessary for effective preparation, taking into account  
16 due diligence.

17  
18 SO ORDERED.

19  
20 DATED: 3/9/07

21 HON. SAUNDRA BROWN ARMSTRONG  
22   
23 United States District Judge